

February 9, 2011

The Township Committee met at 7:00 PM on the above date with residents of Crosswicks Chase about the possibility of installing a tree buffer around the perimeter of Charlotte Rogers park to buffer the homes that back up to the park. Mrs. Jamanow explained the reforestation plans throughout the township and how the area around the park could be added to shield the houses. It would typically be a 25' buffer and she would not suggest any more than that. Residents could also opt to just have shade trees put in or it could also be an evergreen screening. The species of trees does not have to be the same at every house. The trees would be on township property. After some questions from the residents in attendance concerning the species and size of the trees, Mrs. Jamanow took the names and contact information for the residents that were interested in participating. A letter will be sent to the residents who were not present instructing them to contact the Township Engineer to set up an appointment if they are interested in participating in the program. Mrs. Jamanow also stated that the trees would probably not be planted this year. There is a 3 year schedule and the schedule for 2011 has been set. Mayor Durr explained that the schedule is based on the monies received by the Township from the turnpike over a 3 year period. If the bids come in lower, perhaps more trees could be planted during the year.

The Committee took a brief recess,

Mayor Durr called the meeting to order at 7:30 PM and opened with the flag salute and a moment of silence. Roll call was taken showing present Mayor Lawrence H. Durr, Deputy Mayor Michael J. Hlubik and Township Committeeman Richard LoCascio. Also present was Nancy W. Jamanow, Township Engineer and John C. Gillespie, Township Engineer. The open public meetings act statement was read and compliance noted.

Mayor Durr opened the meeting to the public for comments on matters not appearing on the agenda. Joan Harvey of 4 Chesterfield-Georgetown Road informed the committee that the high crown on the roadway after

the recent paving causes the runoff to flow into her basement. She would like some type of curbing installed to re-direct the water. The roadway comes right to her sidewalk. Mayor Durr stated that a curb may cause some inconvenience. Mrs. Jamanow will visit the site and develop some suggestions for a solution and report back to the committee.

Approval of Minutes

The minutes of January 27, 2011 regular and executive session were approved on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

Raffle License Application

A raffle license application from the NJ Vietnam Veteran's Memorial for a raffle at the Old York Country Club on July 25, 2011 was approved on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

Chesterfield Board of Education

Superintendent Ellen McHenry was present with School Board President Brian Meincke to clarify the responsibilities of the school and the Township on the maintenance of the grounds at the new school. The north parking lot which is used as an overflow lot is on Township property and the Township needs to remove the snow from that lot. This would be a good place for parents to park when picking up students. Mayor Durr stated that the Township purchased the entire property to be eligible for green acres and open space funds in order to save taxpayers money. The land was then given to the Board of Education to build the school and the fields were leased to the Board for exclusive use by the School. It was never understood that the Township would take on the liability of the parking lot when we didn't pay to construct lot. Mr. Hlubik explained the original discussions when the purchase of the land was being negotiated. When school is in session the school has control of the entire property. Brian Meincke asked how it is the responsibility of school to maintain property they don't own without an agreement. Mr. Gillespie responded that there is a signed Interlocal Services Agreement from 2003 relating to the new school. Mayor Durr continued that the

Public Works Department is generally plowing Township roads at overtime rates and doesn't feel they should be taking care of school property at Township expense. Mr. Meincke stated that there is no argument about whose pocket the monies are coming from, he is only trying for clarification. A draft agreement for snow removal was sent to the Township but never executed. The Township has never charged for this service in the past. However, it's not an issue. If the school needs to maintain it then they will bid it out. They would ask the Township Committee to consider bidding on the snow removal and grass cutting. Mr. LoCascio stated that the taxpayers are paying either way so it should be done in the most cost efficient way. Mayor Durr stated that the school develops a budget and so does the Township and both have limitations on the increases that can be budgeted. If the Township can generate revenue and the school can get a better price, it should be done that way. Mr. Hlubik stated that plowing the old school was much different than the new school. The lots at the new school are more complicated and time consuming. Ellen McHenry asked about the walking paths and bike paths and who is responsible for them and was told that the school is responsible for the paths on their property. She then asked if the Township can continued to plow the driveways and lots at the old school and mow the fields. Mayor Durr responded that the driveway will be plowed for emergency access. The Township didn't cut the grass last year and this was previously done at a per cut price. As for the playground equipment at the old school, the School Board has agreed that the Township could take whatever equipment they could use after disassembling, and agreed to the inspection by the Joint Insurance Fund.

Township Engineer

Reforestation plans – Mrs. Jamanow stated that she has been working on these for a while and the plans have been submitted to the Turnpike and the DEP Forestry Division along with the grant application. She received an e-mail from the Environmental Commission concerning these plans which she responded to and invited them to the meeting to discuss any other issues they had. Elise Bremer Nei and Karl Braun of the

Environmental Commission were present to discuss the plans for Hogback Road and Fenton Lane. The plans look final and the Commission wondered why they were not involved in reviewing and prioritizing these sites. They have members who have expertise in this field and they are the perfect body to review. It was questioned why the Hogback Road site was selected and Mr. Hlubik responded that it will buffer the area as a possible use as a recycling site. Mrs. Nei stated that she brought this up with the Police Chief who stated that there is illegal dumping at the Township site and asked how this will be monitored off-site. Mayor Durr responded that there are people from other towns dumping, not necessarily dumping illegal items. Mayor Durr continued to explain how the recycling material is handled and explained the thought process behind moving that operation to Hogback Road.

Mrs. Nei continued with questions about why that site was a priority over others? Mrs. Jamanow responded and provided a background on the reforestation process. Mrs. Nei stated that street trees in Greene I have died and need to be replaced. There could also be plantings in the County Right-of-Ways. Mrs. Jamanow responded that the street trees could be considered but she would not recommend to the Township to plant trees in the County Right-of-Way and does not believe the County would allow it. Mrs. Nei continued with the Saddle Way median revisions and the removal of shrubs. Mrs. Jamanow responded that the developers are not doing anything right now. Mrs. Nei stated that the Environmental Commission would be interested in helping with maintenance issues and be a bigger part of the process. Mr. Hlubik stated that there are a lot of people on the Environmental Commission who take an interest in the Township and should be kept included. Mrs. Jamanow stated that there is a species list from the Turnpike that has to be followed. Mr. Braun stated that the Hogback Road site contains a large number of one species and needs to be diversified. Mrs. Jamanow stated that she will take the comments but cannot guarantee that there is enough time to address them. The plans have been approved.

Village Square Park – Mrs. Jamanow reported that the estimates came in high so the Mayor, Planner, Engineer, Clerk and Public Works Director met yesterday to review the plans and areas for cost savings. Most areas have to do with concrete work and reducing the width of the sidewalks, and replacing blue stone with exposed aggregate concrete. Mayor Durr explained all of the changes and the cost savings they represent. The bottom line after all the changes will not change the structure or usability of the site, however it is back to within the \$630,000 budget and he would like to proceed with putting it out to bid. Mr. LoCascio asked if any of these items could be bid as alternates? Mrs. Jamanow stated that the bid could be structured that way. Mayor Durr stated that he is more confident to put the project out to bid if we will be able to afford to pay for it. Pete Oko of 27 Thorn Lane asked when the \$630,000 initial budget was decided? Mayor Durr stated that he was not sure of date but it was based on a concept plan of the engineer and the planner. The cost estimates were done to complete the recreation amenities in the village and the recreation contributions from the developers were based on those estimates. Mr. Oko asked about other funding from the turnpike for trees and \$250,000 from county grant. He thought \$700,000 was the estimate for the Village Square Park and that there was money in excess of the estimate and wonders why things were cut. Mayor Durr stated that he does not believe anyone will suffer from these changes. Mr. Oko disagreed. He lives directly across from Village Square Park and paid a premium to the developer for the lot. There are meticulous requirements for the village. All other park areas in all of the other developments have the blue stone and the Village Square Park should not be any different. It was presented with gold plating and should be built that way. It will affect the value of the homes around the park. Mayor Durr appreciates the opinion but feels the designer had an obligation to come in at the original estimate. This will not be an inferior product. The recreation contributions have been used for so many other things as well. The Township has a responsibility to save as much as possible. There is always another project to be done. Mr. LoCascio asked about the funding that was authorized by the bond ordinance and would the County grant reduce the amount of the bond? Mr. Gillespie explained the reasons for

the bonding. Mr. Oko stated that it would be a shame for the other parks in the Township to outshine this one.

Catherine Geddis of 30 Wright Drive lives in front of the Village Square Park and is quite disappointed that this was predicated on an estimate from 2003. She selected where to live based on the gold plated standard which is the centerpiece of the area. The town needs to maintain a higher standard for that area. There should be an interim solution before it goes out to bid. She urged the Township Committee to consider a way to get the same quality and aesthetics and put it out to bid with a way to incorporate things previously in plan.

Brian Meincke of 13 Bullock Way offered the perspective of the School Board President who underwent the major construction of the new school. The Board was forced to make a lot of cuts and work with alternate bids. Patience needs to play a part. The Township Committee has in their best interests to make that the central point and alternate bids is the best route.

Albert Paulson of 6 Stevenson Way stated that his reason for moving to Chesterfield was to plant deep roots and stay. Most residents have the same intentions. The Committee can't be hasty about these decisions. Some things need to be done immediately to make the park functional and others could be done down the road.

Joe Landree of 151 Hogback Road stated that he built his own house on the outskirts of town and feels the township has changed a lot. He finds that the people in the village think they deserve something. The Township Committee took the initiative to set up the plans for the Village Square Park for the residents and had the foresight to impose the fees on builders. The economy has increased some of those costs and we shouldn't spend any more than we have.

Randy Wolice of Meadowbrook Drive stated that it seems like extra money not allocated for the park could be used for something that the entire township could enjoy. It seems the Township is being asked to spend more money so some people can add value to their properties at someone else's expense. It's not fair to the residents in the rest of the township.

Charles Rossina of Chesterfield–Crosswicks Road stated that he has no sidewalks, no sewers, and no public water. He is retired, on a limited budget and doesn't need more tax.

Robin Cozzolino of 21 Saddle Way stated that Mr. Paulson referenced doing things over a course of time to meet the goals. There is a large amount of traffic in that area every day. As part of the Township, it should be represented well. It's more than just someone's property value.

Mr. LoCascio asked how the grant monies figure into this and Mayor Durr explained. Mr. Gillespie explained the recreation and transportation improvement district ordinance and how they were developed.

Mr. Hlubik feels that we should get alternate bids and build the best park possible, all at once.

On a motion by Mr. Hlubik and second by Mr. LoCascio, the project will go out to bid with alternate options for the items that were removed. All agreed.

Mrs. Jamanow also reported that the Township received \$200,000 in a Transportation Trust Fund grant for the paving of Herman Black Road. Mayor Durr explained the drainage part of project.

Ordinances for Introduction

Ordinance 2011–3 was approved for introduction on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed. Public hearing will be February 24.

ORDINANCE 2011-3

AN ORDINANCE TO REPEAL SECTION 182-25 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "TRUCKS OVER CERTAIN WEIGHTS EXCLUDED" TO RESCIND WEIGHT LIMITS ON HOGBACK ROAD, SYKESVILLE ROAD AND CHESTERFIELD-GEORGETOWN ROAD

WHEREAS, the Township Engineer has reviewed the Township Code relative to weight restrictions on Hogback Road, Sykesville Road and Chesterfield-Georgetown Road and determined that the weight limits on these roads should be rescinded; and

WHEREAS, the New Jersey Department of Transportation (“NJDOT”) has investigated the feasibility of rescinding the weight limits on the aforementioned roads and has found the request to be warranted pursuant to NJDOT’s correspondence dated January 22, 2010 and January 21, 2011, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, as follows:

ARTICLE I. REPEALED SECTION.

Section 182-25 entitled, “Schedule VI: Trucks over Certain Weights Excluded”, be and the same is hereby repealed in its entirety.

ARTICLE II. This Ordinance shall be forwarded to the Commissioner of the Department of Transportation in accordance with the provisions of N.J.S.A. 39:4-8.

ARTICLE III. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Ordinance 2011-4 was approved for introduction on a motion by Mr. LoCascio and second by Mr. Hlubik. All agreed. Public hearing will be March 9 after the ordinance has been reviewed by the Planning Board.

ORDINANCE 2011-4

AN ORDINANCE TO AMEND CHAPTER 130, SECTION 83 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "ARCHITECTURAL AND SITE DESIGN STANDARDS AND GUIDELINES APPLICABLE WITHIN THE PLANNED VILLAGE DISTRICTS"

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey as follows:

ARTICLE I. AMENDED SECTION

A. Chapter 130, Section 83 of the Code of the Township of Chesterfield, entitled "Architectural and Site Design Standards and Guidelines Applicable Within the Planned Village Districts", is hereby amended as follows:

Section 130-83.E (13) entitled "General Requirements" is hereby amended at subparagraph E (13) (e) to read as follows:

(e) Flagpoles less than six (6) feet long may be mounted at an angle to porch columns or posts and building walls. Freestanding flagpoles for display of the flag of the United States of America may be erected on private property provided that they are setback from all property lines a distance equal to or greater than 110% of the height of the flagpole. Freestanding flagpoles for the display of flags may be erected on public property without regard to setback."

B. The balance of Chapter 130-83 shall remain in full force and effect.

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

A. Repealer. Any and all Ordinances inconsistent with the terms this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Ordinance 2011-5 was approved for introduction on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed. Public hearing will be February 24.

ORDINANCE 2011-5

AN ORDINANCE TO AMEND CHAPTER 154 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "PUBLIC ACCESS TO RECORDS"

WHEREAS, by Ordinance 2010-13 the Township Committee responded to the Appellate Division's decision in the case of Smith v. Hudson County Register, et. al., Docket No. A-1762-08T2 and by enacting legislation which established that the actual costs of photocopies, which may be reasonably approximated, would be the basis for charges for same; and

WHEREAS, following enactment of said Ordinance, the New Jersey Legislature enacted amendments to the Open Public Records Act, N.J.S.A. 47:1A-5(b) to establish specific fees which public entities could charge for the photocopying of documents; and

WHEREAS, the Township Committee wishes to amend its Code, including its fee schedule for public access to records, to identify the fees permitted by this recent legislation;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, that Chapter 154 of the Code of the Township of Chesterfield is hereby amended as follows:

Section 154-2. Schedule of Administrative Fees.

A. [No Change]

B. Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be \$0.05 per letter size or smaller, and \$0.07 per legal size or larger, unless the Township can demonstrate that its actual cost for duplication of a government record exceeds the foregoing rates. If the actual cost exceeds the foregoing rates, the Township shall be entitled to charge the actual costs. To the extent that the New Jersey Legislature may modify or amend the legislation establishing the fees set forth herein, this Ordinance shall be amended simultaneously and without further action to reflect the fees authorized by the New Jersey State Legislature. Nevertheless, in circumstances permitted by N.J.S.A.

47:1A-5(c), a special service charge may also be assessed in accordance with Section 154-B(3) below.

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

A. Repealer. Any and all Ordinance inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Ordinance 2011-6 was approved for introduction on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed. Public hearing will be February 24.

ORDINANCE 2011-6

***AN ORDINANCE TO AMEND ORDINANCE 2010-4, WHICH CREATED
CHAPTER 110 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD
ENTITLED "FEES"***

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey as follows:

ARTICLE I. AMENDED SECTIONS.

Ordinance 2010-4, codified as Chapter 110 of the Code of the Township of Chesterfield, entitled "Fees", is hereby amended as follows:

Section 110-154 entitled "Fees Under Chapter 154, Records, Public", is hereby amended at subparagraph B(1)-(3) to read as follows:

1. Letter size or smaller: \$0.05 per page.
2. Legal size or larger: \$0.07 per page. If the actual cost exceeds the foregoing rates, the Township shall be entitled to charge the actual costs.
3. To the extent that the New Jersey Legislature may modify or amend the legislation establishing the fees set forth herein, this Ordinance shall be amended simultaneously and without further action to reflect the fees authorized by the New Jersey State Legislature.”

The balance of Chapter 110-154 shall remain in full force and effect.

Section 110-176 “Fees Under Chapter 176, Trailers and Trailer Camps”, is hereby amended and supplemented to read as follows:

“Notwithstanding the repeal of Chapter 176 of the Code, by Ordinance 2010-3, the Township Committee hereby re-establishes fees for trailer on agricultural properties utilized for agricultural housing as follows:

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|----|---|-----------|
| A. | Inspection Fee (when inspections are undertaken) | \$ 20.00 |
| B. | Annual License Fee: | \$ 200.00 |
| C. | Pro rated License Fee: | |
| | 1. A trailer located between January 1 and June 30, a fee of: | \$ 75.00 |
| | 2. A trailer located between July 1 and September 30, a fee of: | \$ 40.00 |
| | 3. A trailer located between October 1 and December 31, a fee of: | \$ 25.00 |

Section 110-260 “Miscellaneous Fees” is hereby supplemented as follows:

- | | | |
|----|----------------------------------|----------|
| A. | Recycling Bucket (32 gallon) | \$ 16.00 |
| B. | Paper Recycling Cart (64 gallon) | \$ 46.00 |
| C. | Paper Recycling Cart (96 gallon) | \$ 50.00 |

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not

affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Ordinances for Public Hearing

The public hearing on Ordinance 2011-2 was opened on a motion by Mr. Hlubik and second by Mr. LoCascio. Mr. Gillespie explained the ordinance and, hearing no comments, the public hearing was closed on a motion by Mr. LoCascio and second by Mr. Hlubik. Ordinance 2011-2 AN ORDINANCE TO AMEND ORDINANCE 2011-1 WHICH AMENDED CHAPTER 164 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED “SNOW AND ICE REMOVAL” was finally adopted on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

Resolutions

Resolution 2011-2-1 was tabled to March 9 on a motion by Mr. LoCascio and second by Mr. Hlubik. All agreed.

Resolution 2011-2-2 was approved on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

RESOLUTION 2011-2-2

RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT

WHEREAS, Wells Fargo and LSI Title each made a first quarter tax payment on Block 200 Lot 10.03 in the amount of \$1319.53; and

WHEREAS, the Wells Fargo payment created an overpayment; and

WHEREAS, Wells Fargo has requested the overpayment be refunded to them.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that the Tax Collector is hereby authorized to refund the overpayment in the amount of \$1,319.53 to Wells Fargo Real Estate Tax Services, LLC.

Resolution 2011-2-3 was approved on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

RESOLUTION 2011-2-3

RESOLUTION AUTHORIZING TRANSFER AMONG BUDGET APPROPRIATION RESERVES

WHEREAS, various 2010 bills have been presented for payment this year, which bill were not covered by order number; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that the Treasurer be and the same is hereby authorized to make transfers among the 201 Budget Appropriation Reserves in accordance with the following schedule of transfers:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>	<u>AMOUNT</u>
Tax Assessor OE	\$ 1,024.19		
Planner	\$ 1,800.00		
Finance	\$ 2,300.00		
Group Insurance	\$ 4,192.42		
Emerg.Squad OE	<u>\$ 2,933.45</u>		
TOTAL	\$12,250.06		
		Tax Map Maint.	\$ 90.00
		Planning Bd. OE	\$ 2,390.99
		Engineer OE	\$ 4,823.75
		Legal OE	<u>\$ 4,945.32</u>
		TOTAL	\$12,250.06

Discussion

Agriculture Advisory Board – The Committee questioned the appointments and expiration of terms. Mr. Gillespie explained that if there have been no appointments in the last 3 years there is no Board. If the parameters in the Ordinance are acceptable, a Board can be appointed. A decision on this matter was tabled until February 24.

Fenton Lane Farmland Lease – Mayor Durr stated that he would like this to be a 3 year lease. Mr. Gillespie asked if it will be developed and suggested a clause in the lease that if we terminate before the expiration of the lease, we would be responsible. On a motion

by Mr. Hlubik and second by Mr. LoCascio, it was agreed that the lease will be for three years and awarded March 9. All agreed.

Request for Use of Charlotte Rogers Park – this request is approved as long as coordinated with CTAA and they agree.

Fiber-Tech – Mr. Gillespie explained the negotiations up to this point and feels that the \$2500 flat fee is the best we will get. The Committee approved the agreement on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Local Government Seminars – Mr. Gillespie explained and the Committee members will respond personally.

Request to Reinstate complaint to CADB – Mike Mills of 44 Chesterfield-Georgetown Road explained the situation to the Township Committee concerning the issue with his neighbor and the fence. The Zoning Officer issued a complaint with the County AG Board and then withdrew the complaint which is upsetting. Because of the fence his neighbor erected, his home looks and feels like a concentration camp. It has devalued his property extremely. He asked the Planning Board to reconsider as he feels they are being short sighted. The Ordinance reads that anyone in the AG zone could put up an 8' agricultural fence around their property and the Township cannot stop them. That is not considering the intent of the law. The Planning Board sent him to the Township Committee and he is here for help and open to any suggestions the Committee may have. Beverly Mills stated that their property is zoned R-1 and on the other side of their property line is AG zone. There is no need for an agricultural fence in this area, there are no crops on either side of the fence and he is not keeping wildlife in or out. The R-1 zone should take precedence since nothing is being protected by this fence. Mr. Hlubik asked the Mills if they would be agreeable with another kind of fence? Mr. LoCascio stated that if the Ordinance is written to permit the fence, there is no room to compromise. Mayor Durr stated that he believes the Ordinance needs to be amended. The way it is written now, the Township would have lost the complaint. It needs to be reviewed with Mr. Gillespie and Glenn McMahon. Mr. Hlubik stated that the 2 previous owners never had an issue that required the fence. The only area where the fence is 8' high is along the Mills property. Mayor Durr stated that common sense has always prevailed and this has never been an issue in the past.

Budget meetings – a budget meeting will be held February 15 at 7:00 PM.

Signs at basins in Old York Village – Mr. Gillespie explained that until the basins belong to the Township, they are not our liability.

Mrs. Jamanow will follow up with the developers on this issue.

Cell tower lease – the Planning Board did not want the equipment shelter higher than the fence. The equipment building is 15' and the fence is 8', however, they were okay with that as long as the building is not within the fence. The color of the pole could be galvanized steel or brown. The Committee decided on brown. Mr. Gillespie also stated

that they would like an extension of time for the beginning of construction. On a motion by Mr. LoCascio and second by Mr. Hlubik, the extension was approved. All agreed.

Payment of Bills

The bill list was approved for payment as presented on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

Mayor Durr opened the meeting to the public for comments. Joe Landress of 151 Hogback Road thanked the residents who remained for the entire meeting and were interested in all Township business, other than Saddle Way.

Beverly Mills of Chesterfield-Georgetown Road questioned the Weight Limit Ordinance and Mayor Durr explained.

Mike Mills of Chesterfield-Georgetown Road stated that he would be interested in being appointed to Agriculture Advisory Board. Mayor Durr explained the purpose of the board and the requirements to be a member. Beverly Mills further stated that they would be amenable to residential fencing along their property.

Mr. Hlubik stated that he was contacted concerning the condition of Newbold Lane. Mayor Durr stated that the road was in extremely bad condition and the Public Works Department began working on it yesterday, continued through today and should be finished tomorrow. There are snow banks on both sides of the road and no ditches, so when the snow melts, it deteriorates the road. Mayor Durr continued that he believes the roadway at one time went all the way through to Old York Road and, at some point in time, a gate was erected across the roadway. Mr. Gillespie is researching to see if the roadway was ever vacated.

Mitzie Schoen of Fenton lane stated that the residents who spoke about the park should get to know their neighbors and get out and talk to their neighbors. She feels the park should be built but does not have to be all the bells and whistles. Getting out and meeting your neighbors is what Chesterfield is all about and they are missing it.

The Committee approved Resolution 2011-2-4 to Enter Executive Session for the purpose of discussing matters related to negotiations and the attorney-client privilege on a motion by Mr. LoCascio and second by Mr. Hlubik. All agreed. The Committee entered Executive Session at 9:50 PM.

The Committee resumed open session and adjourned the meeting at 10:34 PM on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Respectfully submitted,

Bonnie J. Haines, RMC
Township Clerk